

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

POP CINEMA, LLC,

Plaintiff,

v.

FIRST LOOK HOME
ENTERTAINMENT, INC.,

Defendant.

CIVIL ACTION NO. 08CV3792 (LAP)

NOTICE OF MOTION FOR THE PRO
HAC VICE ADMISSION ADAM B.
SCHWARTZ IN THIS MATTER

ELECTRONICALLY FILED

PLEASE TAKE NOTICE PLEASE TAKE NOTICE that upon the annexed affirmation of Sean Mack, Esq., and affidavit of Adam B. Schwartz, Esq., the undersigned attorneys for plaintiff, Pop Cinema, LLC, will move this Court, Hon. Loretta Preska, U.S.D.J., on a date and time to be decided by the Court, for an Order granting the admission *pro hac vice* of Adam B. Schwartz, Esq., to practice before this Court in this action.

A proposed form of Order is enclosed.

Respectfully submitted,

PASHMAN STEIN
A Professional Corporation

By: 

SEAN MACK (SM2016)
Attorneys for Plaintiff,
Pop Cinema, LLC
Court Plaza South
21 Main Street
Hackensack, NJ 07601
(201) 488-8200

Dated: Hackensack, NJ
July 11, 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

POP CINEMA, LLC,

Plaintiff,

v.

FIRST LOOK HOME
ENTERTAINMENT, INC.,

Defendant.

CIVIL ACTION NO. 08CV3792 (LAP)

**AFFIRMATION OF SEAN MACK, ESQ.
IN SUPPORT OF PLAINTIFF'S
MOTION FOR *PRO HAC VICE*
ADMISSION OF
ADAM B. SCHWARTZ, ESQ.**

ELECTRONICALLY FILED

SEAN MACK, affirms under penalty of perjury as follows:

1. I am a member of the firm of Pashman Stein, P.C., counsel to plaintiff, Pop Cinema, LLC, in this action, and a member of the bar of this Court. I submit this affirmation in support of Pop Cinema's motion seeking the admission of Adam B. Schwartz, Esq., *pro hac vice* in this action.
2. As indicated in the attached Affidavit of Adam B. Schwartz, Esq., Mr. Schwartz is an associate at Pashman Stein, P.C., and is actively involved in assisting me in this matter.
3. As set forth in Mr. Schwartz's Affidavit, he has agreed to abide by all the requirements imposed on an attorney who is admitted *pro hac vice* in the Southern District of New York.
4. There will be no delay in discovery, motions, trial or any other proceeding by reason of the inability of Mr. Schwartz to attend.

5. Additionally, Counsel for First Look has consented to Mr. Schwartz's *pro hac vice* admission.

PASHMAN STEIN
A Professional Corporation

By: 

SEAN MACK (SM2016)
Attorneys for Plaintiff,
Pop Cinema, LLC
Court Plaza South
21 Main Street
Hackensack, NJ 07601
(201) 488-8200

Dated: Hackensack, NJ
July 11, 2008

PASHMAN STEIN

A Professional Corporation
Court Plaza South
21 Main Street
Hackensack, New Jersey 07601-7054
(201) 488-8200
Attorneys for Plaintiff
Pop Cinema, LLC

POP CINEMA, LLC,	UNITED STATES DISTRICT COURT
Plaintiff,	SOUTHERN DISTRICT OF NEW YORK
vs.	Civil Action No. 08CV3792(LAP)
FIRST LOOK HOME ENTERTAINMENT, INC.,	
Defendants.	

I **HEREBY CERTIFY** that on July 14, 2008 an original and two (2) copies of Notice of Motion for the *Pro Hac Vice* Admission Adam B. Schwartz, Esq., Affirmation of Sean Mack, Esq. in Support of Plaintiff's Motion for *Pro Hac Vice* Admission of Adam B. Schwartz, Esq. and Affidavit of Adam B. Schwartz, Esq. in Support of Plaintiff's Motion for his *Pro Hac Vice* Admission were sent via overnight delivery to the Clerk of United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York 10007. Copies of the foregoing were also sent overnight delivery to William Horner, Esq., 551 Fifth Avenue - Suite 616, New York, New York 10176, and overnight delivery to Hon. Loretta Preska, U.S.D.J., United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, 10007.

PASHMAN STEIN

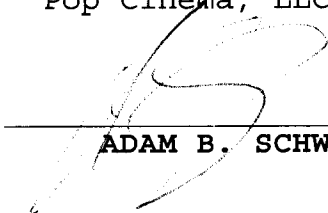
A Professional Corporation

Attorneys for Plaintiff

Pop Cinema, LLC

Dated: July 14, 2008

By: _____


ADAM B. SCHWARTZ

PASHMAN STEIN

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW
COURT PLAZA SOUTH
21 MAIN STREET
HACKENSACK, NEW JERSEY 07601-7054
(201) 488-8200
FAX (201) 488-5556
www.pashmanstein.com

July 14, 2008

J. Michael McMahon
Clerk of the Court
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Pop Cinema, LLC v. First Look Studio
Our File No. 2519-001
Case No. 08-cv-03792

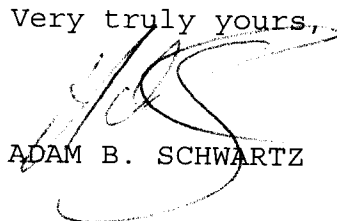
Dear Mr. McMahon:

Enclosed herewith are an original and two copies of the following documents in the above-referenced matter:

1. Notice of Motion for the *Pro Hac Vice* of Adam B. Schwartz, Esq.;
2. Affidavit of Adam B. Schwartz, Esq. in Support of Plaintiff's Motion for his *Pro Hac Vice* Admission; and
3. Affirmation of Sean Mack, Esq. in Support of Plaintiff's Motion for *Pro Hac Vice* Admission of Adam B. Schwartz, Esq.

Kindly return one filed copy of these documents in the enclosed self-addressed, stamped envelope.

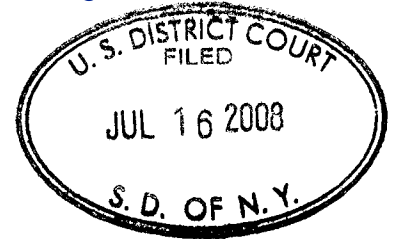
Very truly yours,


ADAM B. SCHWARTZ

Enclosures

pc: William Horner, Esq. (w/encl.)
Hon. Loretta Preska, U.S.D.J. (w/encl.)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



POP CINEMA, LLC,

Plaintiff,

v.

FIRST LOOK HOME
ENTERTAINMENT, INC.,

Defendant.

CIVIL ACTION NO. 08CV3792 (LAP)

**AFFIDAVIT OF ADAM B. SCHWARTZ
IN SUPPORT OF PLAINTIFF'S
MOTION FOR HIS PRO HAC VICE
ADMISSION**

ELECTRONICALLY FILED

Adam B. Schwartz, Esq., being duly sworn, deposes and says:

1. I am an attorney at law of the State of New Jersey and am an associate with the law firm of Pashman Stein, P.C., located in Hackensack, NJ.

2. My firm serves as counsel for plaintiff, Pop Cinema, LLC in this matter. I personally have spent a great deal of time with Pop Cinema in organizing and preparing this matter for litigation.

3. I submit this Affidavit in support of my application to be admitted *pro hac vice* on behalf of plaintiff, Pop Cinema, LLC, in this matter.

4. I am a member in good standing of the bar of the State of New Jersey, which is the state in which I live and principally practice law.

5. I am also admitted to practice law in the United States District Court for the District of New Jersey.

6. Attached hereto as Exhibit A is a Certificate of Good Standing issued by the United States District Court for the District of New Jersey.

7. Attached hereto as Exhibit B is a Certificate of Good Standing issued by the State of New Jersey.

8. I am also admitted to practice in the State of New York. Attached hereto as Exhibit C is a Certificate of Good Standing issued by State of New York.

9. I work closely with Sean Mack, Esq., who is a member of Pashman Stein, P.C., on this matter. Mr. Mack is admitted to practice law in the Southern District of New York.

10. No disciplinary proceedings are pending against me in any jurisdiction, and no discipline has previously been imposed upon me in any jurisdiction.

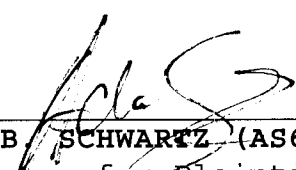
11. My admission *pro hac vice* will not delay trial in this matter.

12. If admitted *pro hac vice*, I acknowledge that I am within the disciplinary jurisdiction of this Court and will abide by the Rules of the Southern District of New York.

13. For the foregoing reasons, I respectfully request that I be admitted *pro hac vice* in this matter.

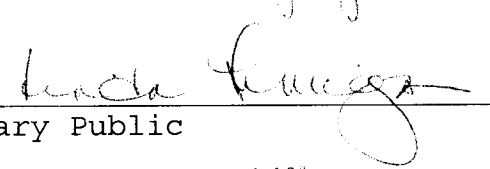
PASHMAN STEIN
A Professional Corporation

By: _____


ADAM B. SCHWARTZ (AS6672)
Attorneys for Plaintiff,
Pop Cinema, LLC
Court Plaza South
21 Main Street
Hackensack, NJ 07601
(201) 488-8200

Dated: Hackensack, NJ
July 11, 2008

Sworn to and subscribed before me
this 11th day of July, 2008.



Notary Public

LINDA FINNEGAN
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 12/29/2010

Certificate of Good Standing



United States of America

District of New Jersey

I, WILLIAM T. WALSH, Clerk of the United States District Court for the District of New Jersey, do hereby certify that:

Adam B. Schwartz

was duly admitted to practice in said Court as of December 30, 1999, and is in good standing as a member of the Bar of said Court.

*Dated at Newark, New Jersey
on: May 2, 2008*

WILLIAM T. WALSH, CLERK

By


Carey P. Carlisle, Deputy Clerk

Supreme Court of New Jersey

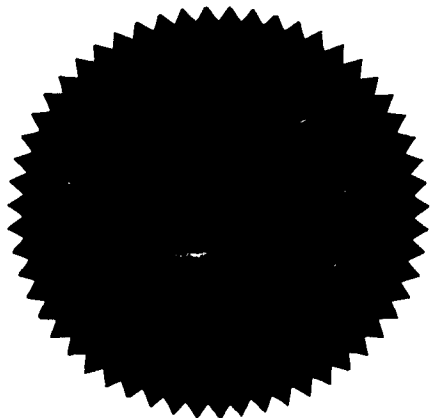


Certificate of Good Standing

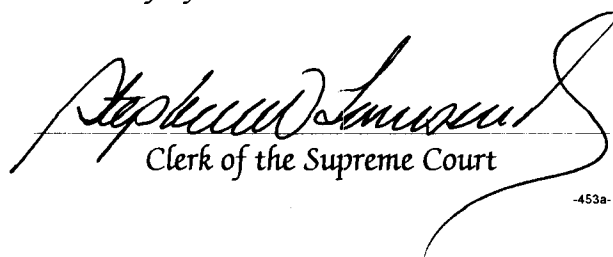
This is to certify that **ADAM BERT SCHWARTZ**
(No. **029861999**) was constituted and appointed an Attorney at Law of New
Jersey on **December 14, 1999** and, as such,
has been admitted to practice before the Supreme Court and all other courts of this State
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"
if the Court's records reflect that the attorney: 1) is current with all assessments
imposed as a part of the filing of the annual Attorney Registration Statement, including,
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not
resigned from the Bar of this State; and 4) has not been transferred to Disability
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to
practice law in this State.*



In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
1ST day of May , 20 08


Clerk of the Supreme Court

**Appellate Division of the Supreme Court
of the State of New York
First Judicial Department**

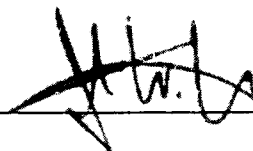
I, John M. McConnell, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

ADAM BERT SCHWARTZ

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on the 30th day of July, 2001 has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my
hand and affixed the seal of this court on

April 30, 2008



Clerk of the Court

PASHMAN STEIN
A Professional Corporation
Court Plaza South
21 Main Street
Hackensack, New Jersey 07601-7054
(201) 488-8200
Attorneys for Plaintiff
Pop Cinema, LLC

POP CINEMA, LLC,

Plaintiff,

vs.

FIRST LOOK HOME
ENTERTAINMENT, INC.,

Defendants.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Civil Action No. 08CV3792(LAP)


I **HEREBY CERTIFY** that on July 14, 2008 an original and two (2) copies of Notice of Motion for the *Pro Hac Vice* Admission Adam B. Schwartz, Esq., Affirmation of Sean Mack, Esq. in Support of Plaintiff's Motion for *Pro Hac Vice* Admission of Adam B. Schwartz, Esq. and Affidavit of Adam B. Schwartz, Esq. in Support of Plaintiff's Motion for his *Pro Hac Vice* Admission were sent via overnight delivery to the Clerk of United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York 10007. Copies of the foregoing were also sent overnight delivery to William Horner, Esq., 551 Fifth Avenue - Suite 616, New York, New York 10176, and overnight delivery to Hon. Loretta Preska, U.S.D.J., United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, 10007.

PASHMAN STEIN

A Professional Corporation
Attorneys for Plaintiff
Pop Cinema, LLC

Dated: July 14, 2008

By:



ADAM B. SCHWARTZ

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

POP CINEMA, LLC,

Plaintiff,

v.

FIRST LOOK HOME
ENTERTAINMENT, INC.,

Defendant.

CIVIL ACTION NO. 08CV3792 (LAP)

NOTICE OF MOTION FOR THE PRO
HAC VICE ADMISSION ADAM B.
SCHWARTZ IN THIS MATTER

ELECTRONICALLY FILED

PLEASE TAKE NOTICE PLEASE TAKE NOTICE that upon the annexed affirmation of Sean Mack, Esq., and affidavit of Adam B. Schwartz, Esq., the undersigned attorneys for plaintiff, Pop Cinema, LLC, will move this Court, Hon. Loretta Preska, U.S.D.J., on a date and time to be decided by the Court, for an Order granting the admission *pro hac vice* of Adam B. Schwartz, Esq., to practice before this Court in this action.

A proposed form of Order is enclosed.

Respectfully submitted,

PASHMAN STEIN
A Professional Corporation

By: 

SEAN MACK (SM2016)
Attorneys for Plaintiff,
Pop Cinema, LLC
Court Plaza South
21 Main Street
Hackensack, NJ 07601
(201) 488-8200

Dated: Hackensack, NJ
July 11, 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

POP CINEMA, LLC,

Plaintiff,

v.

FIRST LOOK HOME
ENTERTAINMENT, INC.,

Defendant.

CIVIL ACTION NO. 08CV3792 (LAP)

**AFFIRMATION OF SEAN MACK, ESQ.
IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRO HAC VICE
ADMISSION OF
ADAM B. SCHWARTZ, ESQ.**

ELECTRONICALLY FILED

SEAN MACK, affirms under penalty of perjury as follows:

1. I am a member of the firm of Pashman Stein, P.C., counsel to plaintiff, Pop Cinema, LLC, in this action, and a member of the bar of this Court. I submit this affirmation in support of Pop Cinema's motion seeking the admission of Adam B. Schwartz, Esq., *pro hac vice* in this action.

2. As indicated in the attached Affidavit of Adam B. Schwartz, Esq., Mr. Schwartz is an associate at Pashman Stein, P.C., and is actively involved in assisting me in this matter.

3. As set forth in Mr. Schwartz's Affidavit, he has agreed to abide by all the requirements imposed on an attorney who is admitted *pro hac vice* in the Southern District of New York.

4. There will be no delay in discovery, motions, trial or any other proceeding by reason of the inability of Mr. Schwartz to attend.

5. Additionally, Counsel for First Look has consented to Mr. Schwartz's *pro hac vice* admission.

PASHMAN STEIN
A Professional Corporation

By: 

SEAN MACK (SM2016)
Attorneys for Plaintiff,
Pop Cinema, LLC
Court Plaza South
21 Main Street
Hackensack, NJ 07601
(201) 488-8200

Dated: Hackensack, NJ
July 11, 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

POP CINEMA, LLC,

Plaintiff,

v.

FIRST LOOK HOME
ENTERTAINMENT, INC.,

Defendant.

CIVIL ACTION NO. 08CV3792 (LAP)

**AFFIDAVIT OF ADAM B. SCHWARTZ
IN SUPPORT OF PLAINTIFF'S
MOTION FOR HIS PRO HAC VICE
ADMISSION**

ELECTRONICALLY FILED

Adam B. Schwartz, Esq., being duly sworn, deposes and says:

1. I am an attorney at law of the State of New Jersey and am an associate with the law firm of Pashman Stein, P.C., located in Hackensack, NJ.

2. My firm serves as counsel for plaintiff, Pop Cinema, LLC in this matter. I personally have spent a great deal of time with Pop Cinema in organizing and preparing this matter for litigation.

3. I submit this Affidavit in support of my application to be admitted *pro hac vice* on behalf of plaintiff, Pop Cinema, LLC, in this matter.

4. I am a member in good standing of the bar of the State of New Jersey, which is the state in which I live and principally practice law.

5. I am also admitted to practice law in the United States District Court for the District of New Jersey.

6. Attached hereto as Exhibit A is a Certificate of Good Standing issued by the United States District Court for the District of New Jersey.

7. Attached hereto as Exhibit B is a Certificate of Good Standing issued by the State of New Jersey.

8. I am also admitted to practice in the State of New York. Attached hereto as Exhibit C is a Certificate of Good Standing issued by State of New York.

9. I work closely with Sean Mack, Esq., who is a member of Pashman Stein, P.C., on this matter. Mr. Mack is admitted to practice law in the Southern District of New York.

10. No disciplinary proceedings are pending against me in any jurisdiction, and no discipline has previously been imposed upon me in any jurisdiction.

11. My admission *pro hac vice* will not delay trial in this matter.

12. If admitted *pro hac vice*, I acknowledge that I am within the disciplinary jurisdiction of this Court and will abide by the Rules of the Southern District of New York.

13. For the foregoing reasons, I respectfully request that I be admitted *pro hac vice* in this matter.

PASHMAN STEIN
A Professional Corporation

By: _____

ADAM B. SCHWARTZ (AS6672)
Attorneys for Plaintiff,
Pop Cinema, LLC
Court Plaza South
21 Main Street
Hackensack, NJ 07601
(201) 488-8200

Dated: Hackensack, NJ
July 11, 2008

Sworn to and subscribed before me
this 11th day of July, 2008.

Notary Public

LINDA FINNEGAN
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 12/29/2010

Certificate of Good Standing



United States of America

District of New Jersey

I, WILLIAM T. WALSH, Clerk of the United States District Court for the District of New Jersey, do hereby certify that:

Adam B. Schwartz

was duly admitted to practice in said Court as of December 30, 1999, and is in good standing as a member of the Bar of said Court.

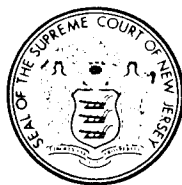
*Dated at Newark, New Jersey
on: May 2, 2008*

WILLIAM T. WALSH, CLERK

By

Carey P. Carlisle
Carey P. Carlisle, Deputy Clerk

Supreme Court of New Jersey

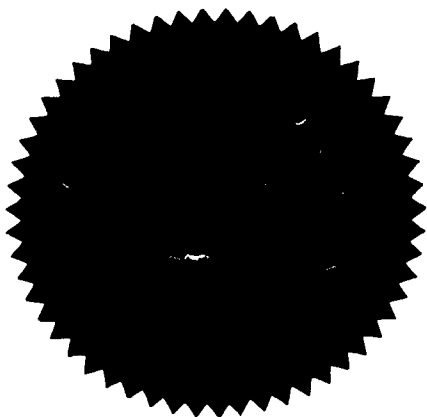


Certificate of Good Standing

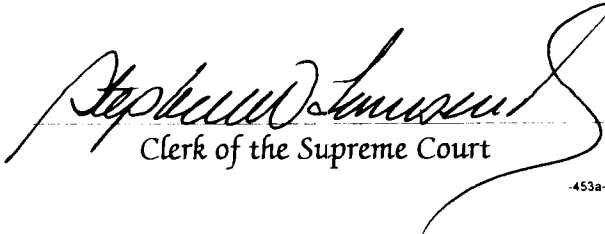
This is to certify that **ADAM BERT SCHWARTZ**
(No. **029861999**) was constituted and appointed an Attorney at Law of New
Jersey on **December 14, 1999** and, as such,
has been admitted to practice before the Supreme Court and all other courts of this State
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"
if the Court's records reflect that the attorney: 1) is current with all assessments
imposed as a part of the filing of the annual Attorney Registration Statement, including,
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not
resigned from the Bar of this State; and 4) has not been transferred to Disability
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to
practice law in this State.*



In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
1ST day of May, 20 08


Clerk of the Supreme Court

**Appellate Division of the Supreme Court
of the State of New York
First Judicial Department**

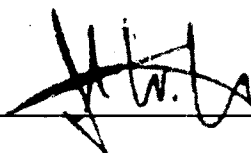
I, John M. McConnell, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

ADAM BERT SCHWARTZ

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on the 30th day of July, 2001 has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my
hand and affixed the seal of this court on

April 30, 2008



Clerk of the Court